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Mandatory Review of Employee Training under E.O. 13950 September 22, 2020

Friday, October 2, 2020



Employee
Services

UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

MEMORANDUM FOR:

HEADS OF EXEC DEPTS AND AGENCIES CHCOs AND HR DIRECTORS

From: DENNIS DEAN KIRK, ESQ., EMPLOYEE SERVICES, ASSOCIATE DIRECTOR

Subject: Mandatory Review of Employee Training under E.O. 13950 September 22, 2020

On September 22, 2020, the President signed Executive Order 13950, titled "Executive Order on Combating Race and Sex Stereotyping." <https://www.whitehouse.gov/presidential-actions/executive-order-combating-race-sex-stereotyping/>. Section 7(a) of the Executive Order provides: "Consistent with OPM's authority under 5 U.S.C. 4115-4118, all training programs for agency employees relating to diversity and inclusion shall, before being used, be reviewed by OPM for compliance with the requirements of section 6 of this order." (Emphasis supplied.)

The purpose of this memorandum is to provide general guidance on the implementation of Executive Order 13950 and to inform recipients that specific instructions for implementation are forthcoming. All Departments, Agencies, Boards, and Commissions in the Executive Branch of the Federal Government are affected by and subject to this Executive Order.

The Executive Order applies to all diversity and inclusion training programs, including programs developed prior to the issuance of this Executive Order, as well as new programs that may be proposed or established after September 22, 2020. Coverage includes, but is not limited to, all training that is paid for with Federal funds or that Federal employees are required or permitted to view, listen to, or participate in while on Government-paid time. Included is training that is conducted or led by Government employees; training that is conducted or led by contractors or others; live training sessions conducted in person or by any electronic means, whether telephonic or video; materials posted on any Federal agency's public-facing or internal Internet or Intranet sites; and, written or video materials or other content that have been produced or procured with Federal funds and that are available to the general public or that Federal employees are required or permitted to read or view.

The U.S. Office of Personnel Management (OPM) must review and approve training materials before they are used, even if those materials have been utilized in the past.

All diversity and inclusion training for Federal employees is on hold, and may not proceed, until those materials have been submitted to OPM and OPM has reviewed and approved those materials.

Please note that OPM will insist upon one complete and all-inclusive submission from each Department, Agency, Board, or Commission. OPM will not accept requests for approval of individual training sessions. OPM will review materials in the order that they are submitted, under the First In First Out (FIFO) business rule and will provide analysis and feedback as quickly as possible.

Agency submissions should be uploaded to the agency-specific section of the Diversity and Inclusion Training Collection Page linked here:

<https://community.max.gov/display/HumanCapital/Diversity+and+Inclusion+Training+Collection+Page>.

Submissions will be reviewed in the order they are received.

Agencies are encouraged to review and improve agency materials before submitting them to OPM. OPM must review and approve all diversity and inclusion materials before they are utilized, but if agencies can improve their materials before submitting them, that will expedite completion of the review process.

Please report training that is not done in compliance with the Executive Order 13950, to FEDalerts@omb.eop.gov.

cc: Deputy Chief Human Capital Officers